

B<sup>1</sup>

indirect enhancement of expression of a useful gene by means of incorporating the nucleic acid sequence for enhancing expression of a useful gene into an expression vector which has been constructed such that the useful gene can be expressed, however, it is preferable that the location is downstream of the expression regulatory promoter sequence and upstream of the useful gene. Additionally, the nucleic acid sequence for enhancing expression of a first useful gene should be incorporated into the expression vector such that transcription and translation are carried out in the normal (i.e., from 5' to 3') direction.--

#### IN THE CLAIMS

*Please amend claims 1 and 14-18 as follows.*

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1. A nucleic acid sequence for enhancing expression of a useful gene incorporated into a gene expression vector for enhancing expression of a useful gene comprising a nucleic acid sequence corresponding to a 5'-untranslated region of a viral gene or a fragment or a variant thereof, and is incorporated downstream of the expression regulatory promoter sequence and upstream of the first useful gene in a gene expression vector.

14. The nucleic acid sequence for enhancing expression of a useful gene according to claim 12, wherein said nucleic acid sequence consists of nucleotides 1-180 of SEQ ID NO: 1.

15. The nucleic acid sequence for enhancing expression of a useful gene according to claim 12, wherein said nucleic acid sequence consists of nucleotides 181-341 of SEQ ID NO: 1.

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16. The nucleic acid sequence for enhancing expression of a useful gene according to claim 12, wherein said nucleic acid sequence consists of nucleotides 1-341 of SEQ ID NO:1.

17. The nucleic acid sequence for enhancing expression of a useful gene according to claim 13, wherein said nucleic acid sequence consists of nucleotides 181-713 of SEQ ID NO: 1.

B-3 18. The nucleic acid sequence for enhancing expression of a useful gene according to claim 13, wherein said nucleic acid sequence consists of nucleotides 1-713 of SEQ ID NO:1.

*Please cancel claim 19, without prejudice.*

*Please amend claims 21-28, 35, and 37-40 as follows.*

Sub D1 21. A nucleic acid sequence for enhancing expression of a useful gene incorporated into a gene expression vector for enhancing expression of a useful gene comprising a nucleic acid sequence of nucleotides 181-341 of SEQ ID NO: 1 having one thymidine inserted into position 207 of SEQ ID NO: 1, and a fragment or variant thereof.

22. The nucleic acid sequence for enhancing expression of a useful gene according to claim 1 or claim 21, wherein said nucleic acid sequence for enhancing expression of a useful gene enhances expression of a useful gene by means of its own translation promoting activity.

B-4 23. The nucleic acid sequence for enhancing expression of a useful gene according to claim 1 or claim 21, wherein said nucleic acid sequence for enhancing expression of a useful gene enhances expression of a useful gene by means of accelerating IRES activity.

24. A nucleic acid sequence for enhancing expression of a useful gene comprising a nucleotide sequence of SEQ ID NO: 7, which enhances expression of a useful gene by means of promoting mRNA translation in an IRES-dependent manner.

25. A nucleic acid sequence for enhancing expression of a useful gene which comprises a polynucleotide having a similar IRES activity to an IRES activity of a nucleotide sequence of SEQ ID NO: 7, and consisting of a fragment or a variant of the sequence, which enhances expression of a useful gene by means of promoting mRNA translation in an IRES-dependent manner.

Sub D2 26. An isolated polynucleotide consisting of a nucleotide sequence of SEQ ID NO:7.

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Sub D3  
27. An isolated polynucleotide having a similar IRES activity to an IRES activity of a nucleotide sequence of SEQ ID NO: 7 and consisting of a fragment or a variant of said sequence.

28. A gene expression vector comprising the nucleic acid sequence for enhancing expression of a useful gene according to claim 1 or claim 21.

D5  
B8  
35. A therapeutic composition for treating diseases resulting from reduction of cap-dependent mRNA translation in a body of organisms, comprising the nucleic acid sequence for enhancing expression of a useful gene according to claim 1 or claim 21 such that translation of mRNA can be promoted by means of introducing said nucleic acid sequence for enhancing expression of a useful gene into the body of the organisms.

Sub D5  
37. A method for determining the severity of hepatitis C, comprising the steps of: detecting the presence of a target polynucleotide sequence contained in a biological sample derived from a test subject, by using the polynucleotide according to claim 26 or claim 27 as the target; and determining the severity of the hepatitis C based on the presence of the sequence.

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38. The nucleic acid sequence for enhancing expression of a useful gene according to claim 21 further comprising a nucleic acid sequence of nucleotides 1-180 of SEQ ID NO: 1 having one thymidine inserted into position 207 of SEQ ID NO: 1, and a fragment or variant thereof.

39. The nucleic acid sequence for enhancing expression of a useful gene according to claim 21 further comprising a nucleic acid of nucleotides 342-713 of SEQ ID NO: 1 having one thymidine inserted into position 207 of SEQ ID NO: 1, and a fragment or variant thereof.

40. The nucleic acid sequence for enhancing expression of a useful gene according to claim 21 further comprising a nucleic acid sequence of nucleotides 1-180 and 342-713 of

B<sup>6</sup> SEQ ID NO: 1 having one thymidine inserted into position 207 of SEQ ID NO: 1, and a fragment or variant thereof. D

*Please add following new claims 44-46.*

Sub D<sup>6</sup>  
44. The nucleic acid sequence for enhancing expression of a useful gene according to claim 1, wherein the 5'-untranslated region comprises a sequence corresponding to at least one region selected from the group consisting of a pyrimidine-rich tract, BoxA, BoxB, a trans factor-binding site, and a combination thereof.

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45. The nucleic acid sequence for enhancing expression of a useful gene according to claim 44, wherein said nucleic acid comprises a sequence having substitution, deletion, insertion and/or addition of a single or a few nucleotides of a sequence derived from a wild-type virus within the sequence or a proximate sequence in at least one position corresponding to a pyrimidine-rich tract, BoxA, BoxB and/or trans factor-binding site contained in the 5'-untranslated region.

46. A therapeutic composition for treating diseases resulting from reduction of IRES activity in a body of organisms, comprising the nucleic acid sequence for enhancing expression of a useful gene according to claim 25 such that translation of mRNA can be promoted by means of introducing said nucleic acid sequence for enhancing expression of a useful gene into the body of the organisms. D